

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 10, 2008**

DIVISION ONE

B202856 Eugene L. (Not for Publication)  
v.  
Gina F.

The summary judgment is reversed. Eugene L. is entitled to costs on appeal.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

B199200 Eugene L. (Not for Publication)  
v.  
Stephen L. Belgum et al.

The order granting the special motion to strike the malicious prosecution claim is reversed and on remand the trial court is directed to vacate the order awarding attorney fees to Belgium. Eugene L. is entitled to costs on appeal.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

November 10, 2008 (Continued)

## DIVISION ONE (continued)

B198970 Citizens Coalition to Preserve Telegraph Road (Not for Publication)  
v.  
City of Commerce Community Development Commission et al.

The judgment is affirmed. Respondents to recover their costs on appeal.

Rothschild, J.

We concur:   Mallano, P.J.  
                      Hastings, J. (Assigned)

DIVISION THREE

B204596      People                                  (Not for Publication)  
v.  
James Williams

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

B202361      Hica Education Loan  
v.  
George K. Kosmides

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FOUR

B204229      Los Angeles County, D.C F.S.                      (Not for Publication)  
                 v.  
                 D.B.

The order terminating parental rights is affirmed.

Manella, J.

We concur:   Willhite, Acting P.J.  
                 Suzukawa, J.

B207016      Brilliant Ones, Inc.                      (Not for Publication)  
                 v.  
                 MacLean, Inc., et al.

The order denying appellant's section 473 motion is reversed. The matter is remanded to the trial court with directions to vacate the judgment of dismissal and reinstate appellant's complaint. Appellant Shall have costs on appeal.

Manella, J.

We concur:   Willhite, Acting P.J.  
                 Suzukawa, J.

B203342      People                                      (Not for Publication)  
                 v.  
                 Bakra

The restitution and parole revocation fines are reduced to \$200, and in all other respects the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and forward it to the Department of Corrections and Rehabilitation.

Suzukawa, J.

We concur:   Willhite, Acting P.J.  
                 Manella, J.

November 10, 2008 (Continued)

## DIVISION FOUR (continued)

B206174 People v. McMillion

(Not for Publication)

The order is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

B202430      People                      (Not for Publication)  
v.  
Gutter

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

B205837      Los Angeles County, D.C F.S.      (Not for Publication)  
v.  
J.P.

The orders denying father's section 388 petition and terminating his parental rights are affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Suzukawa, J.

## DIVISION SEVEN

B206588      Los Angeles County, D.C F S.      (Not for Publication)  
v.  
Anthony E.

he February 20, 2008 order terminating Anthony E.'s parental rights as to A. S. is conditionally reversed and the matter is remanded to the juvenile court with directions to order the Department to comply with the notice provisions of ICWA. If, after proper inquiry and notice, a tribe or the BIA responds indicating A. S. is an Indian child and seeks intervention, the juvenile court is to consider which, if any, of its prior order, in addition to the order terminating parental rights, should be vacated in order to conduct new proceedings consistent with the procedural and substantive requirements of ICWA. If neither a tribe nor the BIA indicates A. S. is an Indian child, the juvenile court shall reinstate its order terminating parental rights.

Perluss, P.J.

We concur:   Zelon, J.  
                      Jackson, J.

B198617      Porter                                  (Not for Publication)  
v.  
Kielbasa et al.,

The judgment is affirmed. Each party is to bear its own costs of appeal.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

November 10, 2008 (Continued)

## DIVISION SEVEN (continued)

B206036      Los Angeles County, D.C F.S.      (Not for Publication)  
v.  
Robert S.

The orders of the juvenile court are affirmed.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.

## DIVISION EIGHT

B209340            C.H.,                                 (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles Dept. of Children & Family Services, r.p.i.)

The writ petition is denied on the merits. This opinion is final forthwith as to this court. (Cal. Rules of Court, rule 8.264.(b)(3).)

Flier, J.

We concur: Rubin, Acting P.J.  
Bigelow, J.